

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA )  
                                ) Case No. 1:09-CR-188  
v. )  
                                ) Chief Judge Curtis L. Collier  
DAVID T. FRAZIER )  
                               )

**O R D E R**

The Court has received a Report and Recommendation (“R&R”) from United States Magistrate Judge Susan K. Lee, recommending Defendant David T. Frazier (“Defendant”) be found competent to stand trial (Court File No. 34). The Court has received a forensic report on Defendant’s mental health evaluation from the Federal Medical Center in Lexington, Kentucky (Court File No. 33). The findings in the evaluation were that Defendant is competent to stand trial and is not currently suffering from a mental disease or defect rendering him incompetent to the extent he is unable to understand the nature and consequences of the proceedings filed against him or assist properly in his own defense. On June 9, 2010, Defendant filed a signed Waiver of Competency Hearing with this Court (Court File No. 30).

Based upon this information, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee’s R&R (Court File No. 34), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to stand trial.

**SO ORDERED.**

**ENTER:**

/s/

**CURTIS L. COLLIER  
CHIEF UNITED STATES DISTRICT JUDGE**